

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rulemaking to implement the provisions of
Public Utilities Code § 761.3 enacted by
Chapter 19 of the 2001-02 Second Extraordinary
Legislative Session.

Rulemaking 02-11-039
(Filed November 21, 2002)

TO: ALL PARTIES OF RECORD IN THE ABOVE-CAPTIONED PROCEEDING
PLUS RULEMAKING (R.) 99-11-022, R.04-04-025, AND R.04-04-003.

NOTICE OF AVAILABILITY

The draft decision of Commissioner Peevey has been made available at http://www.cpuc.ca.gov/PUBLISHED/COMMENT_DECISION/48071.htm on July 22, 2005. The draft decision adopts limited changes to General Order 167 to require certain logbook minimum requirements (when upgraded to electronic database systems) and to provide for the filing of certain data required by Pub. Util. Code § 761.3(d). It establishes a process for voluntary mediation to be convened by October 2005. The Executive Director will file a notice of exemption from the California Environmental Quality Act, and serve a copy of this order on the California Independent System Operator. This proceeding is closed.

Any recipient of this Notice of Availability who is not receiving service by electronic mail in this proceeding or who is unable to access the link to the Commission's website given above may request a paper copy of the draft decision from the Commission's Central Files Office, at (415) 703-2045; fax number (415) 703-2263; e-mail cen@cpuc.ca.gov.

The draft decision will not appear on the Commission's agenda for at least 30 days after the date it is mailed. The Commission may act then, or it may postpone action until later.

When the Commission acts on the draft decision, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare its own decision. Only when the Commission acts does the decision become binding on the parties.

Parties to the proceeding may file comments on the draft decision as provided in Article 19 of the Commission's Rules of Practice and Procedure (Rules), accessible on the Commission's website at <http://www.cpuc.ca.gov/PUBLISHED/RULES PRAC PROC/44887.htm>. Pursuant to Rule 77.3, opening comments shall not exceed 15 pages.

Comments must be filed with the Commission's Docket Office. Comments should be served on parties to this proceeding in accordance with Rules 2.3 and 2.3.1, and the Scoping Memos dated February 19, 2003, and May 2, 2003. Electronic copies of comments should be sent to ALJ Mattson at bwm@cpuc.ca.gov and ALJ Thorson at jet@cpuc.ca.gov. All parties must serve hard copies on the ALJs and the Assigned Commissioner, and for that purpose I suggest hand delivery, overnight mail or other expeditious methods of service. The current service list for this proceeding is available on the Commission's website, www.cpuc.ca.gov.

Service of this Notice of Availability is also performed on the service lists for R.99-11-022, R.04-04-025, and R.04-04-003. These other proceedings involve qualifying facility (QF) issues, and parties in those proceedings may wish to comment on QF data requirements addressed in this draft decision. To do so, if not already a party in R.02-11-039, the entity should also move for appearance status here.

Dated July 22, 2005, at San Francisco, California.

/s/ ANGELA K. MINKIN

Angela K. Minkin, Chief
Administrative Law Judge